

**EXECUTIVE ORDER
FEE SCHEDULE FOR CRIMINAL CASES
(Effective January 3, 2005)**

Pursuant to the authority vested in me by Section 8-15-2 of the General Laws of the State of Rhode Island and in order to ensure the continued participation of qualified attorneys in the representation of indigent defendants in criminal cases, the fee schedule for court-appointed counsel appearing in the Superior and District Courts as set forth in Executive Order No. 2000-02 is hereby amended as follows:

FEE SCHEDULE

The rates of compensation to be paid by the court to court-appointed counsel shall not differentiate between in-court and out-of-court time. In addition to the fees set forth below, counsel shall be entitled to all reasonable expenses of litigation, including cost of transcripts, expert witness fees, investigators' fees, and fees for service of subpoenas in those instances where subpoenas have not been served by court order without cost. Application for expert witness authorization may be made ex-parte, without notice to the Attorney General or other adverse parties.

The thresholds and flat fees set by this schedule shall apply to all the time spent and all hearings required to reach adjudication in a particular case and shall also include all post-disposition efforts. In cases wherein the fees are less than the threshold, approval for payment shall be given by the trial justice or the judge before whom the matter was disposed. Where the fees sought are above the threshold, the trial justice or judge at disposition shall make a recommendation regarding the advisability of exceeding the threshold amount, but the final determination of payment shall be made by the Presiding Justice of the Superior Court or the Chief Judge of the District Court. Requests for payment for appellate proceedings before the Supreme Court shall be addressed by the Court in conference.

All requests for payment shall be made on forms provided by the Supreme Court. The accuracy and veracity of the information shall be attested to by the requesting attorney.

The Fee Schedule shall be as follows:

A. Supreme Court

1. Criminal Appeals From \$50/hour to \$75/hour \$ 3,000 threshold

B. Superior Court

1. Misdemeanors From \$30/hour to \$50/hour \$ 1,500 threshold

2. Class II Felonies From \$35/hour to \$60/hour \$ 5,000 threshold

3. Class I Felonies From \$50/hour to \$90/hour \$10,000 threshold

4. Murder
 (New Category) \$100/hour \$15,000 threshold

C. District Court

1. Misdemeanors From \$30/hour to \$50/hour \$ 1,500 threshold

2. Fines/Costs/Rest. From \$30/hour to \$50/hour \$ 1,500 threshold

This Fee Schedule is effective January 3, 2005, for all indigent representation occurring after that date. This Order supersedes the fees set forth in Supreme Court Executive Order 2000-02. In all other respects, Supreme Court Executive Order 2000-02 and Supreme Court Executive Order 2004-02 (“Family Court Indigent Counsel”) remain in full force and effect.

Entered as an Executive Order of this Court, this **14th** day of **September, 2004**.

ENTER:

By Order,

S/S

S/S

Frank J. Williams
Chief Justice

Clerk